

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 601 PROTHRO STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the buildings and structures whose location is set forth herein are vacant and have become run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and

WHEREAS, the condition of such property constitutes a serious fire and health hazard to the City of North Little Rock, and unless immediate actions are taken to remedy this situation by removing, razing and abating said nuisance, there is a great likelihood that the surrounding property may be destroyed by fire originating from such unsafe and hazardous structures, and also that since structures are without proper sanitary facilities and as such are unsafe and hazardous and a breeding place for rats, rodents and other dangerous germ carriers of diseases, such buildings constitute a serious hazard to the health and safety of the citizens of North Little Rock, and they should be moved or razed for the purpose of eliminating such hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City Council hereby declares the buildings, houses and other structures located at the property identified in Section 2 below to be vacant and run down, dilapidated, unsafe, unsightly, dangerous, obnoxious, unsanitary, a fire hazard, a menace to abutting properties, with the current condition of said structures not being fit for human habitation; and because of such conditions, the City Council declares the same to be condemned as a public nuisance and is ordered abated, removed or razed by the owners thereof.

SECTION 2: That the owners of record of the following described property are hereby directed to raze the same or otherwise abate the said nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

Lot 0, Block 233, Prothro Subdivision in the City of North Little Rock, Pulaski County, Arkansas, also described as: Prothro Subdivision, Part of Tract 233; beginning at the intersection of the NE line of Oak Street and the Northwestern line of Prothro Street which is the Southeast corner of Block 233; thence Northeast along the Northwest line of

Prothro Street 59.6'; thence Northwest parallel to Oak Street 110.3'; thence Southwesterly 59.6' to the Southwest line of Block 233; thence along the Southwesterly line of Block 233 110.3 feet to point of beginning. (Parcel No. 23N0770014700, located 601 Prothro Street and owned by Walter and Dollie Faux.)

SECTION 3: If the aforementioned structures have not been razed and/or removed within thirty (30) days after posting a true copy of this Resolution at a conspicuous place upon the structures constituting the nuisance, or the nuisance otherwise abated, the structures shall be torn down and/or removed by the Director of Code Enforcement or his duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by a fine of \$50.00 for each such separate and distinct offense.

SECTION 4: That the provisions of this Resolution are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith
Mayor Joe A. Smith *by DWS*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney *by DWS*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:05</u> A.M.	_____ P.M.
By	<u>Asst City Atty McFarland</u>	
DATE	<u>6-16-15</u>	
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas		
RECEIVED BY	<u>Ulog 98</u>	

The City of North Little Rock

TOM WADLEY
DIRECTOR



R-15-94

701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8581
NLRCodeEnforcement@NorthLittleRock.org

CODE ENFORCEMENT DEPARTMENT

June 1, 2015

Mayor Smith
City Council Members

Re: 601 Prothro

Lot 0 Block 233 Prothro Sub

PROTHRO SUB PT TR 233 BEG AT THE INTERS OF THE NE LINE OF OAK ST & THE NW LINE OF PROTHRO ST WHICH IS THE SE COR OF BLK 233 TH NE ALONG THE NW LINE OF PROTHRO ST 59.6' TH NW PARALLEL TO OAK ST 110.3' TH SW'RLY 59.6' TO SW LINE OF BLK 233 TH ALONG THE SW'RLY LINE OF BLK 233 110.3' TO BEG
City of North Little Rock

Owners: Walter & Dollie Faux
North Little Rock, AR 72117

Dear Mayor Smith;

September 2013, during an inspection of the area officer C. Williams conducted an exterior inspection of this property. Inspection showed the house to be unsecured, several windows were broken out, the roof is leaking there are several pieces of exterior siding missing the exposor is causing continued deterioration. Follow-up inspection shows the air condition unit has been stolen the roof is leaking, the copper has been removed, including the hot water tank the house is in very bad disrepair. The North Little Rock Code Enforcement has cut the grass on several occasions in the past two years. According to the North Little Rock Utility Department utilities were last on Sept 2012.

September 2014 Notice of public nuisance was again mailed to the owner of record (Walter & Dollie Faux). All notices were mailed by certified mail the return receipt shows the owner Walter Faux signed for the notice, the owner contacted our office by phone regarding the status of the house and his plans to rehab, however nothing was ever done to correct violations.

May 2015 Notice of condemnation was mailed to owners of record and/or heirs and all interested parties of a City Council Hearing date of the June 22nd 2015. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property.

This property constitutes a public nuisance; and is considered unfit for human habitation, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Felecia McHenry
Code Enforcement Officer